

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

LISA WHITEHEAD,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:21-cv-02525
v.	)	
	)	
STERLING JEWELERS, INC.,	)	
	)	
Defendant.	)	
	)	

**DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Defendant Sterling Jewelers Inc., by and through counsel, hereby moves for summary judgment in its favor, dismissing Plaintiff Lisa Whitehead’s claims in their entirety. In support of this Motion, Defendant states as follows:

Plaintiff’s claims for race discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964 and the Tennessee Human Rights Act warrant dismissal. First, Plaintiff was not subjected to an adverse employment action. Second, there is no evidence that any treatment of Plaintiff was based on her race or any protected activity. In addition, Plaintiff’s THRA claims are time-barred. Finally, as asserted in Defendant’s pending Rule 12(c) Motion, Plaintiff’s Title VII claims fail because she failed to file her EEOC Charge within 180 days, and her THRA claims fail because she was not employed in Tennessee – and does not allege any discriminatory acts in Tennessee.

Since there are no genuine issues of material fact as to Plaintiff’s claims, summary judgment is proper.

WHEREFORE, for the reasons set forth above and in the accompanying Memorandum and Statement of Undisputed Material Facts, and all of the record evidenced cited therein, Defendant

respectfully requests that the Court grant its Motion, dismiss Plaintiff's Amended Complaint in its entirety, with prejudice, and award Defendant such other and further relief as is deemed proper.

Dated this 17<sup>th</sup> day of November, 2022.

Respectfully submitted,

*s/Luci L. Nelson*

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*Attorneys for Defendant Sterling Jewelers, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 17<sup>th</sup> day of November, 2022, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon and was served via Certified U.S. Mail, Return Receipt Requested upon the following:

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*Plaintiff, pro se*

s/ Luci L. Nelson